



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes CITY COUNCIL AGENDA WORK SESSION

*Steve Tumlin, Mayor*  
*Stuart Fleming, Ward 1*  
*Grif Chalfant, Ward 2*  
*Johnny Walker, Ward 3*  
*G. A. (Andy) Morris, Ward 4*  
*Rev. Anthony Coleman, Ward 5*  
*Michelle Cooper Kelly, Ward 6*  
*Philip M. Goldstein, Ward 7*

---

Monday, April 7, 2014

5:15 PM

Council Chamber

---

**Presiding:** R. Steve Tumlin, Mayor  
**Present:** Stuart Fleming, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris,  
Anthony Coleman, Michelle Cooper Kelly and Philip M. Goldstein

**Also Present:**  
*William F. Bruton, Jr. City Manager*  
*Douglas R. Haynie, City Attorney*  
*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Mayor R. Steve Tumlin called the meeting to order at 5:17 p.m.*

### MINUTES:

#### 20140367 Regular Meeting - March 6, 2014

Review and approval of the March 6, 2014 regular meeting minutes.

*Motion to approve the March 6, 2014 regular meeting minutes, with an amendment on page 3 showing Council member Goldstein absent for the vote on agenda item 20140239, 11 Whitlock Avenue.*

**The motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Approved as Amended. The motion carried by the following vote:**

**Vote: 5 – 0 – 0** **Approved as Amended**  
Absent for the vote: Stuart Fleming and Anthony Coleman

### BUSINESS:

**20140375 BLW Report**

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, April 7, 2014.

*Council member Morris reported on the actions of the Board of Lights and Water at their April 7, 2014 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the April 7, 2014 regular Board of Lights and Water meeting minutes for details.)*

**Reported**

**20140352 759 Hickory Drive**

Motion awarding bid for property adjacent to 759 Hickory Drive to Jerry and Kathy Baskin in accordance with the attached legal description.

*This matter already appears on the Council agenda. There was a consensus to add this matter to the consent agenda.*

**Recommended for Approval - Consent Agenda**

**20140382 TIGER Grant**

Discussion and consideration of TIGER Grant Request.

*Motion to authorize staff to submit the necessary documents for the TIGER Grant.*

**The motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda**  
Absent for the vote: Stuart Fleming

**20140303 Speed Radar Sign on Cherokee Street**

Request for speed radar signs on Cherokee Street as requested by Council Member Anthony Coleman.

*Motion authorizing installation of one speed radar sign on Cherokee Street.*

**The motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda**  
Absent for the vote: Stuart Fleming

**20130542 Wellstar Bridge**

Request by WellStar Kennestone Hospital to the City of Marietta for a Pedestrian Bridge Easement crossing over Church Street, north of its intersection with Cherry Street in the City of Marietta.

*Discussion was held regarding the request by WellStar Kennestone Hospital for a Pedestrian Bridge Easement crossing over Church Street.*

*Motion to approve Easement and Bridge Agreement subject to the terms and conditions set forth in the Easement and Bridge Agreement, adding language regarding the placement of pillars and with the design of the bridge submitted to Council for final approval.*

*There was general agreement that this matter be placed on the council agenda non-consent.*

**Recommended for Council Agenda Non Consent**

**20140386 Lawrence Street Recreation Center**

Discussion of development and funding for the Lawrence Street Recreation Center.

*Discussion was held regarding the options presented for the development and funding for the Lawrence Street Recreation Center. There was general agreement to move forward with the development and funding in the amount of \$1,216,886 for the Lawrence Street Recreation Center.*

**The motion was made by Council member Kelly, seconded by Council member Coleman, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 7 – 0 – 0 Recommended for Approval – Consent Agenda**

**20140363 Preston Chase Property**

Discussion regarding the use of funds from the 2013 Redevelopment Bond Fund to purchase property known as Preston Chase, said proceeds shall be used to replenish the 2009 Parks Bond. This item was requested by Council member Morris.

*Discussion was held regarding the options for the Preston Chase property and the need for a park in the Franklin Road area.*

*Motion to approve the use of funds in the amount of \$3,286,281.22 from the 2013 Redevelopment Bond Fund to purchase property known as Preston Chase located at 1034 Franklin Road, said proceeds shall be used to replenish the 2009 Parks Bond.*

**The motion was made by Council member Morris, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:**

**Vote: 6 – 1 – 0 Recommended for Council Agenda Non Consent**  
Voting Against: Philip M. Goldstein

**20140380 Addendum to Property Management Agreement**

Motion to approve the revised property management agreement (Contract #4160, dated 11/21/13) between the City of Marietta and Marietta Housing Authority dated November 21, 2013.

**The motion was made by Council member Morris, seconded by Council member Fleming, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 7 – 0 – 0                      Recommended for Approval – Consent Agenda**

**20140381                      Demolition of Woodlands Park at 861 Franklin Road and Flagstone Village at 849 Franklin Road**

Motion to Authorize Marietta Housing Authority to begin the demolition process to demolish the properties located at 861 Franklin Road and 849 Franklin Road.

*Motion to Authorize Marietta Housing Authority to begin the demolition process to demolish properties located at 861 Franklin Road and 849 Franklin Road and further stating that the apartments will not be torn down until all tenants have moved out.*

**The motion was made by Council member Fleming, seconded by Council member Goldstein, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 7 – 0 – 0                      Recommended for Approval – Consent Agenda**

**20140387                      Submission of proposed Adoption of current State version of International Property Maintenance Code**

Approval to forward a proposed Ordinance amending Section 7-4-2-100 of the Marietta City Code to adopt the International Property Maintenance Code, 2006 edition to the State of Georgia for review.

*This item should follow agenda item 20140130 (which is already on the council agenda) and both should show Council member Goldstein voting against.*

**The motion was made by Council member Fleming, seconded by Council member Coleman, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 6 – 1 – 0                      Recommended for Approval – Consent Agenda**  
Voting Against: Philip M. Goldstein

**20140183                      2016 SPLOST**

Motion to approve 2016 SPLOST list.

*In depth discussion was held regarding the proposed 2016 SPLOST Project list for inclusion in the 2016 SPLOST.*

*Discussion regarding this matter was suspended as Council members consider proposed projects for their respective wards.*

*(This matter continued on page 7 of the minutes.)*

**20140376 Draft City Council Agenda**

Review and approval of the April 9, 2014, DRAFT City Council Agenda.

*-under Minutes: Agenda item 20140368 was added to the consent agenda, with an amendment on page 3 to remove the language showing Council member Goldstein abstaining on agenda item 20140239. He was actually absent during the vote on that matter.*

*-under Minutes: Agenda Item 20140369 was added to the consent agenda.*

*-under Ordinances: Agenda item 20140274 was amended to stipulate that the two lots must be combined.*

*-under Ordinances: Agenda items 20140280, 20140281 and 20140282 were added to the consent agenda. Agenda item 20140282 should show the ward as 7A instead of 2B.*

*-under Economic/Community Development: Agenda Items 20140314, 20140380 and 20140381 were added to the consent agenda. Agenda item 20140325 was removed from the agenda.*

*-under Judicial/Legislative: Agenda item 20140311 was revised to specify the changes being made to the detailed plan. A motion to establish a speed limit of 25 mph along Meeting Street and Prospect Street will also be added to the agenda. (See agenda item 20140398)*

*-under Judicial/Legislative: Agenda item 20140130 was added to the consent agenda, with Council member Goldstein voting against. Agenda item 20140387 should follow this item, also with Council member Goldstein voting against.*

*-under Parks and Rec: Agenda item 20140205 should show a Public Hearing will be held. Agenda item 20140352 was added to the consent agenda.*

*-under Public Works: Agenda item 20131486 should show Council member Goldstein abstaining. Agenda item 20140301 should have language added to state, "This motion does not grant a perpetual variance. Zayo Communications must relocate underground at their expense if other utilities at the location are moved underground."*

*-under Other Business: Agenda item 20140216 was added to the consent agenda and amended to add, "subject to DOT approval."*

*-under Other Business: Agenda item 20140370 was added to the consent agenda.*

**Discussed**

**20140377 Executive Session**

Executive Session to discuss legal, personnel, and/or real estate matters.

**A motion was made in open session by Council member Goldstein, seconded by Council member Walker, to enter an Executive Session to discuss legal and real estate matters. The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

For: Stuart Fleming, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris, Anthony Coleman, Michelle Cooper Kelly and Philip M. Goldstein

*The Executive Session was held.*

**A motion was made in open session by Council member Goldstein, seconded by Council member Morris, to exit the Executive Session. The motion carried by the following vote:**

**Vote: 6 – 0 – 0**

**Approved**

For: Stuart Fleming, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris, Anthony Coleman and Philip M. Goldstein  
Absent for the vote: Michelle Cooper Kelly

*A motion was made by Council member Chalfant, seconded by Council member Goldstein, to add an item to the consent agenda authorizing acquisition of the entire parcel at 760 Polk Street from Willa Vee Weaver for the purpose of constructing the Polk Street and Mountain View Road Intersection Improvements project in exchange for \$119,500.00, per the attached contract. The motion carried by the following vote:*

*Vote: 6 - 0 - 0*

*Recommended for Approval – Consent Agenda*

*Absent for the vote: Michelle Cooper Kelly  
(See agenda item 20140394)*

*A motion was made by Council member Chalfant, seconded by Council member Goldstein, to add an item to the consent agenda authorizing transfer of a portion of the property at 849 Franklin Road from City owned property to right-of-way for the purpose of constructing the Franklin Road Improvements - From Twin Brooks to Las Colinas Apartments in exchange for \$81,950.00 to reimburse the Franklin Road Development Bond. The motion carried by the following vote:*

*Vote: 7 - 0 - 0*

*Recommended for Approval – Consent Agenda*

*(See agenda item 20140390)*

*A motion was made by Council member Chalfant, seconded by Council member Goldstein, to add an item to the consent agenda authorizing transfer of a portion of the property at 861 Franklin Road from City owned property to right-of-way for the purpose of constructing the Franklin Road Improvements - From Twin Brooks to Las Colinas Apartments in exchange for \$64,650.00 to reimburse the Franklin Road Development Bond. The motion carried by the following vote:*

*Vote: 7 - 0 - 0*

*Recommended for Approval – Consent Agenda*

*(See agenda item 20140391)*

*A motion was made by Council member Chalfant, seconded by Council member Goldstein, to add an item to the consent agenda authorizing acquisition of a portion of property and easements at 1401 and 1409 Powder Springs Street from Matalon Properties, LLC for the purpose of constructing the Powder Springs Street Sidewalk Phase II Project in exchange for \$10,877.00. The motion carried by the following vote:*

*Vote: 7 - 0 - 0*

*Recommended for Approval – Consent Agenda*

*(See agenda item 20140392)*

*A motion was made by Council member Chalfant, seconded by Council member Goldstein, to add an item to the consent agenda authorizing acquisition of a portion of property and easements at 1255 Powder Springs Street from Corman Investments, LLC for the purpose of constructing the Powder Springs Street Sidewalk Phase II Project in exchange for \$10,326.00. The motion carried by the following vote:*

*Vote: 7 - 0 - 0                      Recommended for Approval – Consent Agenda  
(See agenda item 20140393)*

**20140183**

**2016 SPLOST**

Motion to approve 2016 SPLOST list.

*After a brief recess, further discussion was held regarding the proposed 2016 SPLOST Project List. Council provided input and a recommended list for consideration for the SPLOST that Cobb County is proposing for the November 2015 vote.*

*Staff was asked to bring back the project list incorporating the suggestions made by Council.*

**Recommended for Council Agenda Non Consent**

**ADJOURNMENT:**

*The meeting was adjourned at 9:35 p.m.*

**Respectfully submitted,**

\_\_\_\_\_  
**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_